

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

DOLORES CEPEDA

VS

C.A.2019-CV-5

**BANK OF AMERICA, N.A.
FAY SERVICING, LLC
WILMINGTON TRUST NATIONAL ASSOCIATION
SOLEY AS TRUSTEE FOR THE MFRA TRUST 2014-2 , ALIAS**

STATEMENT OF UNDISPUTED FACTS

Defendant, by her attorney, pursuant to DRI LR56 submits the following Statement of Undisputed facts in support of her Objection to Plaintiff's Motion for Summary Judgment.

1. Bank of America as Creditor for Bank of America California, N.A. was the owner of the mortgage loan on August 14, 2017 and Bank of America, N.A. was not the owner of the mortgage loan on that date. See Exhibit D.
2. Plaintiff's last payment to Bank of America was July 2017. See Cepeda Affidavit Exhibit D.
3. Fay has insufficient evidence and could not verify the status of the Plaintiff's mortgage loan account when it was transferred to Fay. See Answer to paragraph number 114 of Defendants.

4. The letter dated September 26, 2018 was actually deposited in the United States mail on September 27, 2018 in Troy Michigan. See Cepeda Affidavit, Exhibits E and E-1.
5. The letter dated September 26, 2018 was received by the Plaintiff on October 2, 2018. See Cepeda Affidavit, Exhibits E and E-1.
6. Orlans PC mailed the original of Exhibit F to Plaintiff. See Cepeda affidavit and Exhibit F.
7. Prior to Orlans mailing the original of Exhibit F to Plaintiff, Fay and Wilmington did not mail the Plaintiff a Notice of Mediation or a Notice of Foreclosure Counseling. Cepeda Affidavit.
8. Prior to Orlans mailing a Notice of Sale to Plaintiff, Fay and Wilmington did not mail the Plaintiff a Notice of Mediation. See Cepeda Affidavit.

DOLORES CEPEDA

By her attorney,

October 28, 2019

/s/ John B. Ennis
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Certificate of Service

I hereby certify that I emailed a copy of this Statement of Undisputed Facts to Patrick T. Uiterwyk and Justin Shireman on October 28, 2019 and by electronic filing.

/s/ John B. Ennis